

No.

CR 08 00014 JF

-FILING

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FILED

2008 JAN 9 P 3:52

EDWARD W. WIEKING
CLERK
U.S. DISTRICT COURT
N.D. DIST. OF CAL. S.J.

THE UNITED STATES OF AMERICA

vs.

RAMON LOPEZ-AGUILAR

INDICTMENT

COUNT ONE:

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following
Deportation

A true bill.

Ramona Wills

Foreperson

Filed in open court this 9 day of January

A.D. 2008

[Signature]
United States Magistrate Judge

Bail. \$ No process needed

JOSEPH P. RUSSONIELLO (CSBN #44332)
United States Attorney

BRIAN J. STRETCH (CSBN #163973)
Chief, Criminal Division

JEFFREY B. SCHENK (CSBN #234355)
Assistant United States Attorney

Attorneys for Plaintiff
United States of America

150 Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-2695

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAMON LOPEZ-AGUILAR,

Defendant.

CR

No.

08 00014

VIOLATION: 8 U.S.C. § 1326 –
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

INDICTMENT

The United States charges:

On or about April 18, 2007, the defendant

RAMON LOPEZ-AGUILAR,

an alien, previously having been arrested and deported from the United States on or about
May 13, 2004, was found in the Northern District of California, the Attorney General of the
United States and the Secretary for Homeland Security not having expressly consented to a re-
application by the defendant for admission into the United States, in violation of Title 8, United

//

//

INDICTMENT

FILED

2008 JAN 9 P 3:52

RICHARD W. WIEGAND
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CAL. S.J.

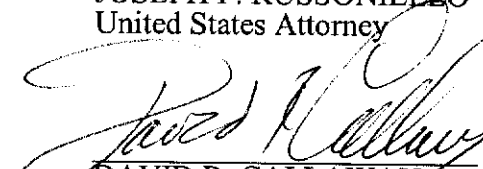
E-FILING

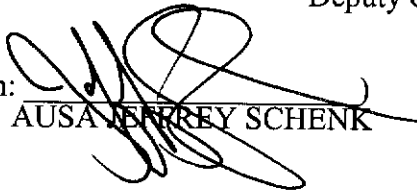
**JF
RS**

1 States Code, Section 1326.

2 DATED: 1/6/08

JOSEPH P. RUSSONIELLO
United States Attorney

3
4 
5 DAVID R. CALLAWAY
6 Deputy Chief, San Jose Office

7 (Approved as to form: 

8 AUSA JEFFREY SCHENK
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee**E-FILING****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

JEFF SCHENK

Name of District Court, Judge or Judge-Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S. 2008 JAN -9 P 3:52

RAMON LOPEZ-AGUILAR

DISTRICT COURT NUMBER

CR 08 00014**JF****RS****DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed?☐ Yes
☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDINGName of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**OFFENSE CHARGED**Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation☐ Petty
☐ Misdemeanor
☒ Felony**PENALTY:**20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee**E-FILING****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant☐ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

JEFF SCHENK

DEFENDANT - U.S.COURT
RAMON LOPEZ-AGUILAR

DISTRICT COURT NUMBER

CR 08 00014 JF RS**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Has detainer
been filed?☐ Yes
☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... If Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____